

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

JAMES G. MALONEY

CRIMINAL ACTION NUMBER  
1:16-cr-237-RWS-JSA

**Government's Proposed Voir Dire Questions**

The United States of America respectfully requests that its counsel be permitted to ask the following questions (and reasonable follow-up questions) to the members of the jury panel during voir dire.

Respectfully submitted,

Ryan K. Buchanan  
*United States Attorney*

/s/ John Russell Phillips  
*Assistant United States Attorney*  
Georgia Bar No. 576335

/s/ Stephen H. McClain  
*Assistant United States Attorney*  
Georgia Bar No. 143186

600 U.S. Courthouse  
75 Ted Turner Drive, SW  
Atlanta, GA 30303  
(404) 581-6000

1. The indictment in this case charges that the Defendant, James G. Maloney, defrauded and conspired with others to defraud the United States and Georgia Tech. Two of Defendant Maloney's alleged co-conspirators pleaded guilty and are expected to testify on behalf of the Government during this trial. Do any of you have any feelings or opinions about someone who has pleaded guilty to a crime and is now cooperating with the Government in hopes of getting a reduced sentence based on their cooperation?
2. Have you or any member of your immediate family ever attended Georgia Tech?
3. Have you or any member of your immediate family ever been employed by Georgia Tech?
4. Do any of you know anyone who works for the Georgia Tech Research Institute, also known as GTRI?
5. Have any of you ever studied electrical engineering?
6. Have any of you ever been employed in any job that involved the detection or investigation of fraud?

- (a) If so, please identify the company that employed you, state what your position was, and state what your job duties were.
7. Have any of you ever worked as an accountant or financial auditor?
- (a) If so, please identify the company that employed you, state what your position was, and state what your job duties were.
8. This case involves alleged violations of federal law pertaining to Government contracts, including contracts funded by the Central Intelligence Agency (CIA). Have any of you or any member of your immediate family ever been employed by the CIA?
9. Have any of you or any member of your immediate family ever been employed by any of the following organizations that, along with the CIA, make up the U.S. Intelligence Community?
- the National Security Agency;
  - the Defense Intelligence Agency;
  - the Office of Director of National Intelligence;
  - the Department of Energy's Office of Intelligence and Counter-Intelligence;
  - the Department of Homeland Security's Office of Intelligence and Analysis;

- the Department of State's Bureau of Intelligence and Research;
  - the Department of Treasury's Office of Intelligence and Analysis;
  - the Drug Enforcement Administration's Office of National Security Intelligence;
  - Air Force Intelligence;
  - Army Intelligence;
  - Coast Guard Intelligence;
  - Marine Corps Intelligence;
  - Navy Intelligence;
  - Space Force Intelligence;
  - the National Geospatial-Intelligence Agency;
  - the National Reconnaissance Office; and
  - the Federal Bureau of Investigation (FBI).
10. Have any of you or any member of your immediate family ever been employed by an organization that worked on contracts funded by the CIA or any other member of the United States Intelligence Community?
11. Do any of you have any feelings or opinions about the CIA, the FBI, or any other member of the U.S. Intelligence Community that might affect your ability to serve as a fair and impartial juror in this case?

12. It is possible that one or more current or former employees of the CIA or the Department of Defense might testify in this case. If so, because of the nature of their work, the Court has ordered the parties to refer to them not by their name but as Government Agent #1, Government Agent #2, etc. In addition, the Court has ordered that the appearance of any such witness be disguised and that a screen be placed in front of the witness while the witness is testifying, to prevent the witness from being seen by members of the public who might be observing the trial.
- (a) Would the fact that a witness is or was previously employed by the CIA or the Department of Defense affect your opinion about that person's testimony?
  - (b) Would the fact that the Court has ordered that the name and appearance of a witness be altered to protect that person's safety influence your opinion about that person's testimony?
13. Some of the documents that might be admitted into evidence in this case originally contained classified information. For trial purposes, however, the Court has ordered that certain words be redacted from those documents and that unclassified summaries or substitutions be used in

their place. Is there anything about that procedure that would cause you any concern or affect your ability to be fair and impartial to both the Defendant and the Government?

14. Have you or any member of your immediate family ever been granted a security clearance?
  - (a) If so, was that security clearance ever revoked for any reason?
15. Have you or any member of your immediate family ever been denied a security clearance for any reason?
16. Do any of you have strong views or opinions concerning the process by which certain information is designated "classified" or concerning the use of classified information?
17. The indictment in this case charges that Defendant Maloney and his alleged co-conspirators used a Georgia Tech credit card (also known as a Procurement Card or PCard) to pay their personal debts and expenses. Have any of you ever been accused of misusing your employer's credit card?

18. The indictment in this case also charges that Defendant Maloney and his alleged co-conspirators defrauded Georgia Tech and the United States by operating a private consulting business while they were employed full time by Georgia Tech. Have any of you ever moonlighted as a consultant while you were employed full time by someone else?
  - (a) If so, did your consulting business compete head-to-head with (that is, in the same type of business as) the company that employed you full time?
19. Have any of you ever attended law school?
20. Have any of you or any member of your immediate family ever worked for a person or organization that defended people accused of committing crimes?
21. If you tend to feel sympathy for someone who is accused of committing a crime, would that interfere with your ability to serve as a fair and impartial juror in this case?
22. Have any of you ever belonged to or donated money to any of the following organizations: the ACLU, Prison Outreach, the Innocence Project, or the Fully Informed Jury Association?

23. Have any of you ever had an unpleasant experience with the Government or with any Government employee that might make it difficult for you to serve as a fair and impartial juror in this case?
24. Do any of you have any strong feelings or opinions about the United States Attorney's Office or any other law enforcement agency?
25. At the close of the case, the Court will instruct you on the law that you must apply to the facts of this case. Do any of you feel that you would be unable to follow the Court's instructions on the law if the law was in conflict with your personal beliefs?
26. Please look around the room at the other members of the panel. Were any of you acquainted with any other member of the panel before reporting for jury service?



**CERTIFICATE OF SERVICE**

I hereby certify that, on April 25, 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system.

/s/ JOHN RUSSELL PHILLIPS  
*ASSISTANT UNITED STATES ATTORNEY*  
GEORGIA BAR NO. 576335

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